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October 13, 2015

By ECF

Honorable James C. Francis  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Koltun v. Berry  
13 Civ. 1612 (PAC)(JCF)

Dear Judge Francis:

This office represents the two state police defendants, Superintendent D'Amico and Investigator Simmons, in the above-referenced matter. In response to the September 30, 2015 Order, we agree with the Court's approach allowing plaintiff to amend the complaint at this time. We also agree with the County Defendants' October 1, 2015 letter indicating that the only claims that remain at this time are the false arrest and supervisory liability claims, and that plaintiff should not be allowed to amend the complaint to replead claims previously dismissed with prejudice.

Respectfully submitted,

/s/ John Knudsen

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cc: Victor Koltun, 14 A 1241 (via mail)  
Mohawk Correctional Facility

cc: All counsel via ECF